

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

07 MJ 2988

UNITED STATES OF AMERICA,

Plaintiff,

v.

Isabel Christina FLORES (D1)

and

Daniel ACEVES (D2)

Magistrate Case No. _____


DEPUTY
COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien(s)
Without Presentation (Felony)

The undersigned complainant being duly sworn states:

On or about **December 26, 2007**, at the San Ysidro Port of Entry, within the Southern District of California, defendants **Isabel Christina FLORES and Daniel ACEVES**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Oscar GONZALEZ-Acevedo**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Sara Esparagoza, U.S. Customs and
Border Protection Enforcement Officer.

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **27th** DAY OF
December, 2007.


UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Oscar GONZALEZ-Acevedo** is a citizen of a country other than the United States; that said alien has admitted that he is deportable; that his testimony is material, that it is impracticable to secure his attendance at the trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On December 26, 2007 at approximately 1800 hours, **Isabel Christina FLORES (Defendant 1)** made application for admission into the United States at the San Ysidro Port of Entry driving a green Dodge Neon. In the vehicle was one visible passenger, **Daniel ACEVES (Defendant 2)**. During primary inspection, Defendant 1 and Defendant 2 declared United States citizenship. Defendant 1 gave at least two negative Customs declarations and claimed her husband was the owner of the vehicle. Defendant 1 stated her and Defendant 2 had traveled to Tijuana for the purpose of hanging out. The primary Customs and Border Protection (CBP) Officer performed an inspection of the vehicle and noticed something light blue blocking part of the vent on the dashboard of the vehicle. Defendant 1, Defendant 2 and the vehicle were escorted to secondary for further inspection.

In secondary, CBP Enforcement Officers discovered one male concealed within a dashboard compartment of the vehicle and removed him from the concealment location. Further investigation revealed the male to be a citizen and native of Mexico who has no entitlement to enter the United States. He is now identified as **Oscar GONZALEZ-Acevedo (Material Witness)**.

During separate videotaped proceedings, Defendant 1 and Defendant 2 were advised of their Miranda rights, acknowledged their rights and elected to answer questions without benefit to counsel. Defendant 1 and Defendant 2 admitted knowledge of the concealed alien. Defendant 1 and Defendant 2 admitted the Material Witness was to be delivered to an undisclosed location in Chula Vista, California. Defendant 1 stated she was not going to receive payment to smuggle the alien and was only doing it as a favor to her mother and father in law. Defendant 2 stated he was not sure if he was going to receive payment to smuggle the alien and was stated he did it as a favor to his friend.

During a videotaped interview, the material witness admitted to being a citizen of Mexico without documents to legally enter the United States. Material witness stated he made the smuggling arrangements with an unknown female in Tijuana, Mexico. Material Witness stated he was to pay a sum of \$3,000 USD upon his arrival to the United States. Material witness admitted he was going to Escondido, California to seek employment.